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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/551,918	10/05/2005	Hirokazu Asahara	AI 391NP	6223
23995	7590	10/29/2007	EXAMINER	
RABIN & Berdo, PC			REAMES, MATTHEW L	
1101 14TH STREET, NW			ART UNIT	PAPER NUMBER
SUITE 500			2891	
WASHINGTON, DC 20005				
MAIL DATE		DELIVERY MODE		
10/29/2007		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)
	10/551,918	ASAHARA ET AL.
Examiner	Art Unit	
Matthew L. Reames	2891	

– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

Disposition of Claims

4) Claim(s) 1-4 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 1-4 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on 05 October 2005 is/are: a) accepted or b) objected to by the Examiner.

 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892)
2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 10/5/2005, 11/8/2006.

4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ .
5) Notice of Informal Patent Application
6) Other: ____ .

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1,2 are rejected under 35 U.S.C. 102(b) as being anticipated by Haitz (US 5,917,202)

a. As to claim 1, Haitz teaches a semiconductor light emitting device comprising: a semiconductor light emitting portion (e.g. fig 4) ; a front surface electrode provided on one side of the semiconductor light emitting portion (see e.g. figs. 1 and 4); an electrically conductive substrate provided on the other side of the semiconductor light emitting portion (see e.g. fig. 4), the electrically conductive substrate being transparent to a wavelength of light emitted from the semiconductor light emitting portion (see e.g. fig 4); a rear surface electrode having a pattern in ohmic contact with a first region of a back surface of the electrically conductive substrate opposite from the semiconductor light emitting portion (see e.g. fig. 4 the ohmic electrode) ; and a rear surface insulation layer covering a second region of the back surface of the electrically conductive substrate other than the first region, the rear surface insulation layer being transparent to the wavelength of the light emitted from the semiconductor light emitting portion (see e.g. fig. 4 dielectric layers).

b. As to claim 2, Haitz teaches a electrical reflective layer on the back of the dielectric ohmic contact region (see reflective metallization) where the ohmic contacts are absorbing (see summary).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 3 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Haitz.

a. As to claim 3, Haitz teaches a GaP LED which is greenish color. Haitz does not teach a SiC substrate however the use of SiC with a resistivity of 0.05 ohm-cm-0.5 ohm-cm was known in conjunction with GaN LEDs which are blue LEDs.

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have used the reflector of Haitz in conjunction with a GaN based LED on a 0.05 ohm-cm-0.5 ohm-cm SiC substrate.

One would have been so motivated to increase light emission from the LED, thus making the LED brighter.

b. As to claim 4, Haitz does not teach a transparent oxide for the front electrode.

However transparent oxide electrodes where known in the art to allow increased light emission and current spreading.

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have formed the front electrode from a transparent conductive oxide.

One would have been so motivated in order to increase light emission and to provide better current spreading.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew L. Reames whose telephone number is (571)272-2408. The examiner can normally be reached on M-Th 6:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, B. William Baumeister can be reached on (571)272-1722. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MLR



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